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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,813	12/08/2000	Vahan Avetisian	259/175	3080

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EXAMINER

TUDOR, HAROLD JAY

ART UNIT	PAPER NUMBER
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3641

DATE MAILED: 01/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

Applicant(s)

09/733,813

3641

Examiner

Group Art Unit

Avetisiam

3641

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

P r i d for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE Three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disp sition of Claims

- ☒ Claim(s) 1-20 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☐ Claim(s) 1-20 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Pri rity under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received: _____

Attachm nt(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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1. The disclosure is objected to because of the following informalities: The phrase "a coaxial, isolated center pin 40", in lines 12 and 13 of page 2, is misleading if not inaccurate because pin 40 is neither coaxial with the axis of the initiator or a coaxial pin. Appropriate correction is required.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 8 are vague and indefinite in that they do not specifically state that the electrically-nonconductive body is formed in one-piece which is an essential feature of the invention. The terms "integral" and "unitary" do not mean one-piece. The phrase "coaxial, isolated electrode pin", in claims 4, 10 and 18 is misleading if not inaccurate because pin 40 is neither coaxial with the axis of the initiator or a coaxial pin. Claim 5 is vague and indefinite

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because "a standard automotive airbag initiator connector configuration" does not particularly point out nor distinctly claim the invention. The phrase "high pressure", in claims 13 and 16, is a relative term which does not clearly define the invention. The above are illustrative only.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1 and 8, as far as they can be understood because of their indefiniteness, are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Fay. Fay discloses an initiator and method of making comprising a initiator subassembly comprising a can 8, header 9, conductors 14 and 15, and a molded one-piece electrically-nonconductive body 19 surrounding substantially all of the initiator subassembly except for an exposed portion of the conductors.

7. Claims 1-5 and 8-11, as far as they can be understood because of their indefiniteness, are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Mramor, element 140 is the one-piece electrically-nonconductive body surrounding the initiator subassembly.

8. Claim 7, as far as it can be understood because of its indefiniteness, is rejected under 35 U.S.C. 103(a) as being unpatentable over Mramor in view of Bailey. Mramor discloses the invention substantially as claimed. However Mramor does not disclose forming the electrically-nonconductive body of nylon. Bailey teaches that it is old and well known in the art to form an electrically-nonconductive body of an initiator of nylon. To form the electrically-nonconductive body of Mramor of nylon, as

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taught by Bailey, would have been obvious to one having ordinary skill in the art at the time the invention was made.

9. Claims 12, 13, 14 and 20, as far as they can be understood because of their indefiniteness, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mramor in view of Swann et al. Mramor is applied as above. However, Mramor does not state that the electrically-nonconductive body is formed by injection molding. Swann et al teach injection molding to be an old and well known method of molding an electrically-nonconductive body around an initiator subassembly. To injection mold the electrically-nonconductive body around the subassembly initiator of Mramor, as taught by Swann et al, would have been obvious to one having ordinary skill in the art at the time the invention was made.

10. Claims 15 and 16, as far as they can be understood because of their indefiniteness, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mramor in view of Swann et al and Seavey. Mramor and Swann et al are applied as above. However, Mramor and Swann et al do not disclose injecting the molten material at the upper region of the initiator subassembly. Seavey teaches that it is old and well known in the art to vary the position of the

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injection points in mold to achieve a desired result, note lines 30-35 of col. 3. It would have been obvious to one having ordinary skill in the art at the time the invention was made to inject the molten material at the upper region of the initiator subassembly in the method formed by the combination of Mramor and Swann et al in view of the teaching of Seavey.

11. Claim 19, as far as it can be understood because of its indefiniteness, is rejected under 35 U.S.C. 103(a) as being unpatentable over Mramor in view of Swann et al and Bailey. References are applied as above. To inject molten nylon around the subassembly initiator formed by the combination Mramor and Swann et al, as taught by Bailey, would have been obvious to one having ordinary skill in the art at the time the invention was made.

12. Claims 1-6 and 8-11, as far as they can be understood because of their indefiniteness, are rejected under 35 U.S.C. 103(a) as being unpatentable over Whang in view of Mramor. Whang discloses the initiator and method of forming the initiator substantially as claimed. However, Whang does not disclose forming the electrically-nonconductive body, 12 and 38, in one-piece. Mramor teaches that it is old and well known in the art

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to form an electrically-nonconductive body around an initiator subassembly in one-piece to form a waterproof initiator. To form the electrically-nonconductive body, 12 and 38, in one-piece, as taught by Mramor, would have been obvious to one having ordinary skill in the art at the time the invention was made.

13. Claim 7, as far as it can be understood because of its indefiniteness, is rejected under 35 U.S.C. 103(a) as being unpatentable over Whang in view of Mramor and Bailey. References are applied as above. To form the electrically-nonconductive body of the initiator formed by the combination of Whang and Mramor of nylon, as taught by Bailey, would have been obvious to one having ordinary skill in the art at the time the invention was made.

14. Claims 12, 13, 14 and 20, as far as they can be understood because of their indefiniteness, are rejected under 35 U.S.C. 103(a) as being unpatentable over Whang in view of Mramor and Swann et al. References are applied as above. To injection mold the electrically-nonconductive body around the subassembly initiator formed by the combination of Whang and Mramor, as taught by Swann et al, would have been obvious to one having ordinary skill in the art at the time the invention was made.

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15. Claims 15-18, as far as they can be understood because of their indefiniteness, are rejected under 35 U.S.C. 103(a) as being unpatentable over Whang in view of Mramor, Swann et al and Seavey. References are applied as above. It would have been obvious to one having ordinary skill in the art at the time the invention was made to inject the molten material at the upper region of the initiator subassembly in the method formed by the combination of Whang, Mramor and Swann et al in view of the teaching of Seavey.

16. Claim 19, as far as it can be understood because of its indefiniteness, is rejected under 35 U.S.C. 103(a) as being unpatentable over Whang in view of Mramor, Swann et al and Bailey. References are applied as above. To inject molten nylon around the subassembly initiator formed by the combination Whang, Mramor and Swann et al, as taught by Bailey, would have been obvious to one having ordinary skill in the art at the time the invention was made.

17. Allison, Zeman et al, Lee, Chatley, Jr. and Hamilton et al are cited as being of interest in that they disclose initiators.

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18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harold J. Tudor, whose telephone number is (703) 306-4172.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone, can be reached on (703) 306-4198. The fax phone number for this Group is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.

A handwritten signature in black ink, appearing to read "Harold J. Tudor". The signature is fluid and cursive, with the first name "Harold" and last name "Tudor" clearly distinguishable.

HAROLD J. TUDOR
PRIMARY EXAMINER